

Senate File 2340 - Introduced

SENATE FILE 2340

BY CELSI

A BILL FOR

1 An Act relating to education, including responsibilities of the
2 board of educational examiners with respect to background
3 checks, endorsements, and authorizations, requiring the
4 boards of directors of school districts to make payments to
5 certain specified student teachers and full-time employees,
6 requiring the boards of directors of school districts to
7 hire a certain specified amount of substitute teachers,
8 making appropriations, and including effective date
9 provisions.
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 256.20 Student teacher compensation
2 — appropriation.

3 1. For the fiscal year beginning July 1, 2022, and for each
4 succeeding fiscal year, there is appropriated from the general
5 fund of the state to the department to distribute to school
6 districts an amount necessary to reimburse the cost associated
7 with payments to student teachers pursuant to section 279.76.

8 2. Moneys received by a school district under this section
9 shall be miscellaneous income for purposes of chapter 257 and
10 shall not be included in district cost.

11 3. The department shall adopt rules pursuant to chapter
12 17A to administer this section, including rules related to
13 applications for reimbursement submitted by school districts
14 and disbursements to school districts. The rules shall require
15 the board of directors of a school district to submit the
16 notification required by section 279.76, subsection 2, to the
17 department to obtain moneys for reimbursement pursuant to this
18 section.

19 Sec. 2. NEW SECTION. 256.21 Permanent substitute teachers
20 — appropriation.

21 1. For the fiscal year beginning July 1, 2022, and for each
22 succeeding fiscal year, there is appropriated from the general
23 fund of the state to the department to distribute to school
24 districts an amount necessary to reimburse the cost associated
25 with substitute teachers hired pursuant to section 279.77.

26 2. Moneys received by a school district under this section
27 shall be miscellaneous income for purposes of chapter 257 and
28 shall not be included in district cost.

29 3. The department shall adopt rules pursuant to chapter
30 17A to administer this section, including rules related to
31 applications for reimbursement submitted by school districts
32 and disbursements to school districts. The rules shall require
33 the board of directors of a school district to submit the
34 notification required by section 279.77, subsection 4, to the
35 department to obtain moneys for reimbursement pursuant to this

1 section.

2 Sec. 3. Section 272.2, subsection 17, Code 2022, is amended
3 to read as follows:

4 17. Adopt rules to require that a background investigation
5 be conducted by the division of criminal investigation of
6 the department of public safety on all initial applicants
7 for licensure and all applicants for an endorsement or
8 authorization. The board shall also require all initial
9 applicants and all applicants for an endorsement or
10 authorization to submit a completed fingerprint packet and
11 shall use the packet to facilitate a national criminal history
12 background check. The board shall have access to, and shall
13 review the sex offender registry information under section
14 692A.121 available to the general public, information in the
15 Iowa court information system available to the general public,
16 the central registry for child abuse information established
17 under [chapter 235A](#), and the dependent adult abuse records
18 maintained under [chapter 235B](#) for information regarding
19 applicants for license renewal.

20 Sec. 4. Section 272.2, Code 2022, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 27. Adopt rules pursuant to chapter 17A to
23 allow individuals to complete the requirements associated with
24 obtaining an additional endorsement within five years after
25 applying for the additional endorsement as provided in section
26 272.7, subsection 4.

27 Sec. 5. Section 272.7, Code 2022, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 4. *a.* Notwithstanding subsection 1, a
30 person employed as a practitioner is not required to hold an
31 endorsement or authorization for the type of service for which
32 the person is employed for up to five years if all of the
33 following apply:

34 (1) The person has been employed as a practitioner for at
35 least three years.

1 (2) The person is in the process of completing the
2 requirements associated with obtaining the endorsement or
3 authorization.

4 *b.* This subsection shall not apply to services related to
5 mental health counseling, driving instruction, or any other
6 services the superintendent of a school district determines
7 requires specific training to prove proficiency.

8 **Sec. 6. NEW SECTION. 279.76 Student teacher compensation.**

9 1. The board of directors of a school district shall
10 compensate all students who are fulfilling the requirements
11 associated with the student teaching experience established
12 pursuant to section 256.16, subsection 1, paragraph "d", at the
13 school district an amount equal to two thousand five hundred
14 dollars per month for the duration of the student teaching
15 experience.

16 2. On or before June 30, annually, the board of directors
17 of a school district shall provide notice to the department
18 of education indicating the number of students compensated
19 pursuant to this section during the school year and the total
20 amount paid to those students.

21 **Sec. 7. NEW SECTION. 279.77 Permanent substitute teachers.**

22 1. The board of directors of a school district shall
23 employ one full-time substitute teacher for every five hundred
24 students enrolled in the school district during the preceding
25 school year pursuant to a contract for the duration of the
26 ensuing school year.

27 2. All of the following shall apply to a substitute teacher
28 hired pursuant to this section:

29 *a.* The substitute teacher shall hold a valid substitute
30 teacher license or substitute teacher authorization issued by
31 the board of educational examiners.

32 *b.* The substitute teacher may be suspended and discharged
33 pursuant to section 279.27 in the same manner as a teacher.

34 *c.* The substitute teacher shall be eligible for all benefits
35 available to full-time teachers employed by the board of

1 directors of the school district, including health insurance
2 and life insurance.

3 3. The board of directors of a school district may assign
4 additional administrative and other responsibilities to a
5 substitute teacher hired pursuant to this section when that
6 substitute teacher is not needed to substitute for a regularly
7 assigned teacher who is absent.

8 4. On or before June 30, annually, the board of directors
9 of a school district shall provide notice to the department of
10 education indicating the number of substitute teachers employed
11 pursuant to this section during the school year and the total
12 amount paid to those substitute teachers.

13 Sec. 8. NEW SECTION. 279.78 School districts — retention
14 payments — appropriation.

15 1. a. The board of directors of each school district shall
16 pay three thousand dollars to each full-time employee of the
17 school district who has been employed by the board of directors
18 of the school district beginning on or before August 23, 2020,
19 through June 30, 2022, and who has entered into an employment
20 contract with the board of directors of the school district for
21 the ensuing school year, including substitute teachers employed
22 by the board of directors of the school district who worked at
23 least forty hours per week during each school year during that
24 time.

25 b. This subsection does not apply to a full-time employee
26 who is an administrator, principal, school administration
27 manager, or superintendent, as those terms are defined in
28 section 272.1.

29 c. On or before June 30, 2022, the board of directors of
30 each school district shall provide notice to the department of
31 education indicating the number of employees who are qualified
32 to receive a payment pursuant to this section and the total
33 amount the board of directors of the school district will pay
34 to those employees.

35 2. For the fiscal year beginning July 1, 2021, there

1 is appropriated from the general fund of the state to the
2 department of education to distribute to school districts an
3 amount necessary to reimburse the cost associated with payments
4 to full-time employees required by this section.

5 3. Moneys received by a school district under this section
6 shall be miscellaneous income for purposes of chapter 257 and
7 shall not be included in district cost.

8 Sec. 9. EFFECTIVE DATE. This Act, being deemed of immediate
9 importance, takes effect upon enactment.

10

EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

13

This bill relates to education, including responsibilities
14 of the board of educational examiners (BOEE) with respect to
15 background checks, endorsements, and authorizations, requiring
16 the boards of directors of school districts to make payments to
17 certain specified student teachers and full-time employees, and
18 requiring the boards of directors of school districts to hire a
19 certain specified amount of substitute teachers.

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The bill requires that the BOEE adopt rules to require that
21 a background investigation be conducted by the division of
22 criminal investigation of the department of public safety on
23 all applicants for an additional endorsement or authorization.
24 The bill also requires the BOEE to adopt rules that require all
25 applicants for an additional endorsement to submit a completed
26 fingerprint packet to facilitate a national criminal history
27 background check.

28

The bill requires the BOEE to adopt rules to allow
29 individuals to complete the requirements associated with
30 obtaining an additional endorsement within five years after
31 applying for the endorsement. The bill provides that a
32 person employed as a practitioner is not required to hold an
33 endorsement or an authorization for the type of service for
34 which the person is employed if the person has been employed
35 as a practitioner for at least three years and the person is

1 in the process of completing the requirements associated with
2 obtaining the endorsement or authorization. Additionally, the
3 bill provides that this provision does not apply to services
4 related to mental health counseling, driving instruction,
5 or any other services the BOEE or the superintendent of a
6 school district determines requires specific training to prove
7 proficiency.

8 The bill requires the board of directors of a school
9 district to compensate all students who are fulfilling the
10 requirements associated with the student teaching experience
11 at the school district an amount equal to \$2,500 per month for
12 the duration of the student teaching experience. The bill
13 requires the department of education (DOE) to adopt rules to
14 administer these provisions. For the fiscal year beginning
15 July 1, 2022, and for each succeeding fiscal year, the bill
16 appropriates from the general fund of the state to the DOE
17 to distribute to school districts an amount necessary to
18 reimburse the cost associated with these payments. The bill
19 requires the board of directors of a school district to submit
20 a notification containing certain specified information to the
21 DOE to obtain moneys for reimbursement. The bill provides
22 that moneys received by a school district under this provision
23 shall be miscellaneous income for purposes of Code chapter
24 257 (financing school programs) and shall not be included in
25 district cost.

26 The bill establishes new Code section 279.77, which requires
27 the board of directors of a school district to employ 1
28 full-time substitute teacher for every 500 students enrolled in
29 the school district during the preceding school year pursuant
30 to a contract for the duration of the ensuing school year. The
31 bill establishes that the substitute teacher shall hold a valid
32 substitute teacher license or substitute teacher authorization
33 issued by the BOEE, may be suspended and discharged pursuant to
34 Code section 279.27 (discharge of a teacher) in the same manner
35 as a teacher, and shall be eligible for all benefits available

1 to full-time teachers employed by the school district. The
2 bill authorizes the board of directors of a school district to
3 assign additional administrative and other responsibilities
4 to a substitute teacher hired pursuant to new Code section
5 279.77 when the substitute teacher is not needed to substitute
6 for a regularly assigned teacher who is absent. The bill
7 requires the DOE to adopt rules to administer new Code section
8 279.77. For the fiscal year beginning July 1, 2022, and for
9 each succeeding fiscal year, the bill appropriates from the
10 general fund of the state to the DOE to distribute to school
11 districts an amount necessary to reimburse the cost associated
12 with these substitute teachers. The bill requires the board
13 of directors of a school district to submit a notification
14 containing certain specified information to the DOE to obtain
15 moneys for reimbursement. The bill provides that moneys
16 received by a school district under new Code section 279.77
17 shall be miscellaneous income for purposes of Code chapter
18 257 (financing school programs) and shall not be included in
19 district cost.

20 The bill requires the board of directors of each school
21 district to pay \$3,000 to each full-time employee of the school
22 district who has been employed by the board of directors of
23 the school district beginning on or before August 23, 2020,
24 through June 30, 2022, and who has entered into an employment
25 contract with the board of directors of the school district for
26 the ensuing school year, including certain specified substitute
27 teachers. The bill provides that this provision does not
28 apply to administrators, principals, school administration
29 managers, or superintendents. For the fiscal year beginning
30 July 1, 2021, the bill appropriates from the general fund of
31 the state to the DOE to distribute to school districts an
32 amount necessary to reimburse the cost associated with these
33 payments. The bill requires the board of directors of each
34 school district to submit a notification to the DOE indicating
35 the number of employees who are qualified to receive a payment

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1 pursuant to this provision and the total amount the board of
2 directors of the school district will pay to those employees.
3 The bill provides that moneys received by a school district
4 under this provision shall be miscellaneous income for purposes
5 of Code chapter 257 (financing school programs) and shall not
6 be included in district cost.
7 The bill takes effect upon enactment.